

**IN THE COURT OF COMMON PLEAS OF WESTMORELAND COUNTY,
PENNSYLVANIA**

CHRISTINE BIROS, an individual,

CIVIL DIVISION

Plaintiff,

No. 17CJ04886

vs.

PETITION TO STAY TAX SALE

**U LOCK, INC., a Pennsylvania
corporation,**

LIS PENDENS

Defendant.

**Filed on Behalf of Plaintiff,
Christine Biros**

I hereby certify that the actual location of
the parcel of real property is in the
Township of North Huntingdon, County of
Westmoreland, Commonwealth of
Pennsylvania and known as Tax Map No.
54-03-10-0-103.

Counsel of Record for this Party:
William E. Otto, Esq.
PA I.D. #32716
P.O. Box 701
Murrysville, PA 15668
Office: (724) 519-8778


William E. Otto, Esq.
Counsel for Plaintiff

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WESTMORELAND COUNTY
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PETITION TO STAY TAX SALE

Petitioner/Plaintiff Christine Biros, by and through her attorney, William E. Otto, Esq., petitions this Honorable Court stay tax sale, and for the following reasons, states:

1. On or about October 4, 2017, a Complaint in Civil Action for Declaratory Judgment and Equitable Action to Convey Title, to Quiet Title and for an Accounting (the "Complaint") was filed with the Prothonotary of Westmoreland County against Denise Schur, Executrix of the Estate of Alex Schur, Henry L. Moore and Susan Stano, Co-Executors of the Estate of Nicholas Schur, Kathleen S. Walter, Executor of the Estate of Michael Schur, Cynthia Sarris, Administrator of the Estate of Ann Sarris (such parties collectively, the "Defendant Owners" or "Owners") and Defendant U Lock. The Defendant Owners have all been dismissed from this case.

2. The Complaint concerned the purported sale to Defendant U Lock on July 16, 2015 (the "Payment Date") of that certain real property situate at 14140 Route 30, North Huntingdon, PA 15642 with a County Tax Map No. 54-03-10-0-103 (the "Property").

3. The Property has now been listed by the Tax Claim Office of Westmoreland County for exposure to tax sale on September 12, 2022.

4. According to the Tax Claim Office, taxes have not been paid on the Property for at least two (2) years.

5. On March 16, 2022, the Pennsylvania Supreme Court issued an Order directing Defendant U Lock to pay property taxes on the Property during the pendency of Defendant U Lock's occupancy of the Property.

6. On April 27, 2022, an Involuntary Chapter 7 Bankruptcy Petition was filed against Defendant U Lock, staying action by Plaintiff Christine Biros to obtain possession of the Property. A Chapter 7 Trustee, Robert Slone, Esq. has been appointed, with full authority over the actions of Defendant U Lock.

7. As of the date of this Petition, Defendant U Lock remains in possession of the Property.

8. Staying the tax sale will preserve the status quo of the Property until the U.S. Bankruptcy Court can make a decision as to the payment of the taxes on the Property.

9. Exposing the Property to tax sale at this time, with the possible purchase of the Property by a third party, will only more complicate a case which is already sufficiently complicated.

10. The Chapter 7 Trustee, Robert Slone, Esq., for Defendant U Lock has consented to the shortened notice period and the presentation of this Petition as an uncontested petition.

WHEREFORE, Petitioner/Plaintiff Christine Biros respectfully requests this Honorable Court to direct the Tax Claim Office of Westmoreland County to stay the tax sale of the Property and remove it from the tax sale list for September 12, 2022.

Respectfully submitted,



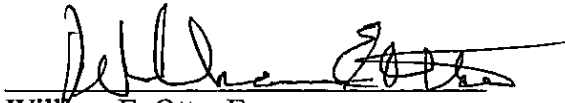
William E. Otto, Esq., Counsel for Plaintiff

CERTIFICATE OF SERVICE

The undersigned counsel hereby certifies that a true and correct copy of the foregoing **PETITION TO STAY TAX SALE** was served upon the following via email and by First Class Mail, postage prepaid, on the 9th day of August, 2022:

Robert H. Slone, Esq.
MAHADY & MAHADY
223 South Maple Avenue
Greensburg, PA 15601
robertslone223@gmail.com
(Trustee for U Lock, Inc.)

J. Allen Roth, Esq.
757 Lloyd Avenue Extension
Suite B
Latrobe, PA 15650
lawmatters@yahoo.com
(Counsel for U Lock, Inc.)



William E. Otto, Esq.
Counsel for Plaintiff